

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ROBERT NICHOLAS KORZIK and  
JAMES M. KORZIK,

Petitioners,

**ORDER**

-against-

**22-CV-201 (JW)**

RAPHAËL BENABOU, DONNA BENABOU and  
AMERIPRISE FINANCIAL SERVICES, INC.,

Respondents.

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**JENNIFER E. WILLIS, United States Magistrate Judge:**

Before the Court is Robert Nicholas Korzik and James. M. Korzik’s (together the “Petitioners”) action pursuant to the Federal Arbitration Act, 9 U.S.C. § 9 (the “Act”) for an Order Confirming the Arbitration Award in FINRA Dispute Resolution No. 18-04341, dated November 22, 2021 (the “Award”) against Raphaël Benabou, Donna Benabou (together the “Benabou Respondents”), and Ameriprise Financial Services, Inc. (together with the Benabou Respondents, “Respondents”). Dkt. No. 3 (the “Petition”).

**BACKGROUND**

This action arises out of a Financial Industry Regulation Authority (“FINRA”) arbitration proceeding, Dispute Resolution No. 18-04341, that was initiated on December 22, 2018 (the “FINRA Arbitration”). Petitioner’s Memorandum of Law in Support of Petition to Confirm Arbitration Award at 2, dated August 10, 2022 (Dkt. No. 10) (“Memo.”). The proceeding was commenced when the Benabou Respondents filed a Statement of Claim (“SOC”). *Id.* On or about February 5, 2020, the Benabou

Respondents filed an Amended Statement of Claim seeking damages less than \$50,000. Id. at 3. On or about June 1, 2020, Petitioners filed a Statement of Answer to the Amended SOC, which requested expungement of the FINRA Arbitration from the Central Registration Depository (“CRD”) records. Id.

The FINRA Arbitrator conducted a hearing in this matter on November 5, 2021. Memo. at 3. On or about November 22, 2021, the Arbitrator issued a decision recommending the expungement of all referenced to the FINRA Arbitration from the CRD records for both Petitioners. The decision also found that the Benabou Respondents’ claims in the SOC were “factually impossible or clearly erroneous” and generally did not present supporting evidence for their assertions. Id. The FINRA Arbitrator recommended expungement. Id.

Generally, a party petitioning the Court for expungement relief must name FINRA as an additional party, unless such requirement is waived. See FINRA Rule 2080. Petitioners attached to their Memorandum a letter confirming that the FINRA Credentialing, Registration, Education and Disclosure Department granted the request for such a waiver. Memo. at 4 n. 2.

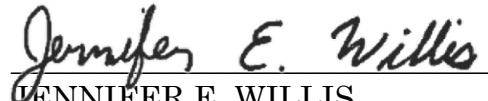
### **DISCUSSION**

Petitioners filed a Memorandum of Law and Declaration in Support of their Petition to Confirm the Arbitral Award. Dkt. Nos. 10, 11. Petitioners have also filed proofs of service that this Petition was served on respondents. Dkt. Nos. 4, 5. No opposition to this Petition has been filed. Thus, having reviewed the arguments presenting and finding good cause, the Court Orders that:

- The Arbitration Award issued in FINRA Dispute Resolution No. 18-04341, dated November 21, 2021, in favor of the petitioners, made by FINRA Arbitrator Francis Carling be CONFIRMED.
- FINRA shall execute the Arbitrator's expungement directive removing all references to Occurrence Numbers 2016199 and 2016201 from registration records maintained by the Central Registration Depository for Robert Korzik (CRD Number 1013350) and James Korzik (CRD Number 5137395).

SO ORDERED.

DATED: New York, New York  
October 24, 2022

  
JENNIFER E. WILLIS  
United States Magistrate Judge